



CHAIRMAN

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

March 13, 1992

The Honorable Edward J. Markey
United States House of
Representatives
Washington, D.C. 20515-2107

Dear Congressman Markey:

I am responding to your letter of January 27, 1992, in which you requested the Commission to review and reverse the Director of Nuclear Reactor Regulation's December 31, 1991 decision to deny the actions requested by the Nuclear Control Institute and the Committee to Bridge the Gap. These petitioners had requested that the Commission institute certain evaluations of licensees' capabilities to withstand safeguards events beyond the current design basis. After informal review of the Director's decision on the petition, the Commission concluded that the staff had carefully considered the request and had reached appropriate conclusions and that, therefore, further evaluations are not warranted at this time. By letter dated February 18, 1992, the Secretary of the Commission informed the petitioners that the Commission declined to initiate formal review of the Director's decision in this matter.

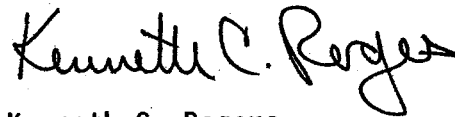
The agency's decision on the petition was guided by our current design basis threat assessment and the adequacy of existing security measures at individual plants. As you will recall, on June 11, 1991, the Commission denied an earlier Petition for Rulemaking from these same petitioners requesting revision of the NRC's regulations to increase the design basis threat for nuclear power reactors. This decision was made on the basis that there had been no change in the threat environment affecting reactors in the United States that would justify a change in the design basis threat. In addition, as a matter of prudence the Commission had previously issued Generic Letter 89-07, "Power Reactor Safeguards Contingency Planning for Surface Vehicle Bombs," on April 28, 1989. In response to that letter, power reactor licensees have affirmed in writing that they have included in their safeguards contingency planning those actions that could be taken within 12 hours to protect against attempted sabotage involving a land vehicle bomb if a changed threat environment warranted such precautions.

The Commission believes that current security requirements for nuclear power plants continue to provide substantial protection against both armed assault and internal sabotage. Moreover, licensees are continuing to improve security

measures, which are subject to periodic agency inspections. In addition, our staff receives updated information on an almost daily basis from the intelligence community and continually evaluates information and actual terrorist incidents for applicability to security at domestic power reactors. The Commission is informed semiannually (or more frequently if warranted) of events that have occurred and is advised whether or not to consider making a change to the design basis threat.

I want to assure you that the Commission is sensitive to the potential for renewed international terrorist activity and that we are prepared to impose additional safeguards requirements on our licensees if warranted.

Sincerely,

A handwritten signature in dark ink, reading "Kenneth C. Rogers". The signature is written in a cursive style with a large, stylized "K" and "R".

Kenneth C. Rogers
Acting Chairman